

14. ARTIFICIAL INTELLIGENCE (AI)

14.1. INTRODUCTION

Artificial Intelligence (AI) is becoming an increasingly valuable tool in the production of commercials and branded content. It offers new creative and technical possibilities throughout the production process, from concept development and previsualisation to production, post-production and content adaptation.

BCP recognises AI as a technology that can strengthen creativity, innovation and production efficiency while preserving the essential role of human talent, craftsmanship and collaboration. AI should enhance creative excellence, not replace the expertise and professional judgement of the people involved in the production process.

As AI becomes increasingly integrated into commercial production, Advertisers, Communication Agencies and Production Companies also need to consider the legal and ethical framework governing its use. Since 2 August 2026, the European Artificial Intelligence Act (EU AI Act) has introduced new transparency obligations for certain AI-generated and AI-manipulated content.

This chapter provides practical guidance on the responsible use of AI in audiovisual commercial production. It explains the key principles that BCP recommends Advertisers, Communication Agencies and Production Companies to follow, highlights typical production scenarios and outlines practical considerations when assessing the transparency obligations introduced by the EU AI Act.

BCP believes that AI delivers its greatest value when combined with the creative, technical and production expertise of professional Production Companies.

14.2. CORE PRINCIPLES

Transparency and Collaboration

Open communication is essential whenever AI materially contributes to the creative or production process.

Advertisers, Communication Agencies and Production Companies should discuss the intended use of AI as early as possible, preferably during the briefing and pre-production phase. Early alignment enables all stakeholders to make informed creative, production and legal decisions throughout the project.

Where AI-generated or AI-manipulated content may be subject to transparency obligations under the EU AI Act, Advertisers, Communication Agencies and Production Companies should consider these implications together at the earliest possible stage of the project.

Creativity and Human Expertise

Artificial Intelligence should enhance human creativity, not replace it.

Creative concepts, artistic direction and key production decisions should remain under meaningful human control. Directors, producers, creatives, performers, technicians and other production professionals continue to play a central role in delivering high-quality audiovisual productions.

AI should be regarded as a creative production tool that complements professional expertise rather than replacing it.

Authenticity and Public Trust

Commercial communication should maintain the confidence of audiences.

Where AI is used to generate or materially manipulate realistic people, voices, products, locations or events, particular care should be taken to avoid creating a misleading impression regarding the authenticity of the content.

Transparency contributes to maintaining public trust in commercial communication and supports the responsible use of AI throughout the industry.

Innovation and Responsibility

BCP supports the responsible adoption of AI as a driver of innovation, creative excellence and production efficiency.

The use of AI should always respect applicable legislation, intellectual property rights, performers' rights, privacy and data protection legislation, while encouraging fair collaboration between Advertisers, Communication Agencies and Production Companies.

AI should be considered from the earliest stages of project development so that creative ambitions, production decisions and any applicable transparency obligations can be assessed before production begins.

14.3. AI IN COMMERCIALS AND BRANDED CONTENT

Responsible Use of AI

Artificial Intelligence offers significant opportunities for innovation throughout the production of commercials and branded content. It enables new creative approaches, improves production efficiency and expands the possibilities for visual storytelling.

BCP encourages the responsible use of AI in ways that enhance creativity, innovation and production quality while preserving the essential contribution of human talent and professional production expertise.

The use of AI should always be considered within its creative, technical and legal context.

Since the entry into force of the EU AI Act, the question is no longer simply whether AI has been used during production. Greater importance is placed on the nature of the final audiovisual content, how realistic it appears and whether transparency obligations may arise before publication.

Advertisers, Communication Agencies and Production Companies are encouraged to discuss the intended use of AI as early as possible, allowing all stakeholders to evaluate creative ambitions, production approach and any applicable transparency obligations before production begins.

Typical AI Applications

Artificial Intelligence is now used throughout the commercial production process. Many applications support the creative workflow without affecting the authenticity of the final commercial, while others may require additional consideration under the EU AI Act.

Not every use of AI has the same implications under the EU AI Act. In many productions, AI functions purely as a creative production tool. In other cases, where AI generates or materially modifies realistic audiovisual content, additional transparency obligations may need to be considered before publication.

AI applications generally used as production tools

The following applications will generally not require public disclosure:

- concept development;
- research and creative exploration;
- mood boards;
- storyboards;
- previsualisation;
- scheduling and production planning;
- image enhancement;
- colour grading;
- visual effects (VFX);
- weather simulations;
- crowd extensions;
- background clean-up;
- object removal;
- upscaling and restoration;
- clearly fictional, animated or stylised content.

AI applications requiring additional assessment

Particular attention should be given where AI is used to generate or materially manipulate realistic audiovisual content, including:

- photorealistic AI-generated persons;
- AI-generated fictional characters that appear realistic;
- digital doubles;
- cloned or AI-generated voices;
- AI-generated testimonials or endorsements;
- de-ageing or age transformation;
- face replacement or face swapping;
- lip synchronisation using AI;
- realistic AI-generated locations;

- realistic AI-generated events;
- documentary-style AI-generated scenes;
- AI-generated existing products or packshots;
- AI-generated performance.

Where such applications are used, Advertisers, Communication Agencies and Production Companies are encouraged to assess together whether transparency obligations under the EU AI Act may become relevant before production begins.

Illustrative Examples

The examples below illustrate BCP’s practical recommendations.

AI APPLICATION	BCP RECOMMENDATION
Mood boards	Generally no public disclosure
Storyboards	Generally no public disclosure
Previsualisation	Generally no public disclosure
Image enhancement	Generally no public disclosure
Beauty retouching	Generally no public disclosure
Colour grading	Generally no public disclosure
Visual Effects (VFX)	Generally no public disclosure
Crowd extensions	Generally no public disclosure
Weather simulation	Generally no public disclosure
Background clean-up	Generally no public disclosure
Object removal	Generally no public disclosure
AI-generated background	Assess according to context
AI-generated location	Assess according to context
AI-generated packshot	Assess according to context
AI-generated existing product	Transparency assessment recommended
AI-generated fictional character	Transparency assessment recommended
Photorealistic AI-generated person	Transparency assessment recommended
Digital double	Transparency assessment recommended
Face replacement	Transparency assessment recommended
AI-generated or cloned voice	Transparency assessment recommended
AI-generated testimonial	Transparency assessment recommended
AI-generated endorsement	Transparency assessment recommended
AI-generated performance	Transparency assessment recommended
Documentary-style AI scene	Transparency assessment recommended

The examples above are intended as practical guidance. Whether transparency obligations arise will depend on the applicable legislation and the overall impression created by the published content.

Communication and Collaboration

Early communication between Advertisers, Communication Agencies and Production Companies is essential whenever AI is expected to play a significant role in the final production.

The intended use of AI should preferably be discussed during the briefing and reviewed during the pre-production meeting. This allows all stakeholders to consider creative objectives, production approach and any transparency obligations before production starts.

Open communication also helps avoid uncertainty later in the production process and supports informed decision-making throughout the project.

Innovation and Integrity

BCP supports the continued development of AI as a creative production tool.

The commercial production industry has always embraced technological innovation. AI represents another important step in that evolution.

Its greatest value, however, lies in supporting creative excellence, professional craftsmanship and collaboration between Advertisers, Communication Agencies and Production Companies.

Professional audiovisual productions remain the result of creative vision, strategic thinking and the expertise of the people involved throughout the production process.

14.4. ENGAGEMENT WITH ADVERTISERS / COMMUNICATION AGENCIES

Fair Collaboration

The successful integration of Artificial Intelligence into commercial productions depends on close collaboration between Advertisers, Communication Agencies and Production Companies.

Advertisers define the campaign objectives and creative brief. Communication Agencies develop the creative concept. Production Companies contribute their production expertise to identify the most appropriate creative, technical and production approach for the project.

AI should be considered from the earliest stages of project development. Open dialogue enables all parties to make informed creative, production and legal decisions while preserving the quality, integrity and effectiveness of the final production.

The use of AI should enhance the creative process without diminishing the contribution of directors, performers, technicians and other creative professionals involved in the production.

Early Communication

Whenever AI is expected to play a material role in the production, its intended use should be discussed as early as possible, preferably during the briefing and further reviewed throughout the production process.

Topics that should ideally be addressed include:

- the intended purpose of the AI use;
- whether AI will generate or materially modify the final audiovisual content;
- the expected impact on the creative concept;
- any implications for performers' rights, intellectual property or privacy;
- whether the intended AI use may require consideration under the EU AI Act.

Early alignment enables all parties to make informed creative and production decisions while reducing uncertainty and avoiding unnecessary revisions later in the project.

Shared Responsibility

The responsible use of AI requires collaboration between Advertisers, Communication Agencies and Production Companies.

All parties are encouraged to ensure that the intended use of AI is clearly understood and considered throughout the creative and production process.

Where the intended use of AI may have implications under the EU AI Act, these should be discussed before production begins so that any applicable transparency obligations can be taken into account at an early stage.

Open communication supports efficient project management, strengthens collaboration and contributes to responsible commercial production.

Data Protection and Intellectual Property

The use of AI involving personal data, including faces, voices or other identifiable characteristics, should always comply with applicable privacy, data protection, intellectual property and performers’ rights legislation.

All stakeholders are encouraged to ensure that AI technologies are used responsibly and in accordance with the applicable legal framework.

Respect for Creative Contribution

Artificial Intelligence should support—not replace—the creative collaboration between Advertisers, Communication Agencies and Production Companies.

Successful commercial productions continue to depend on strategic thinking, creative direction, professional production expertise and close collaboration between all stakeholders.

BCP encourages the responsible use of AI in ways that strengthen creativity, innovation and production quality while preserving the value of human talent, professional craftsmanship and creative collaboration.

14.5. AI LABELLING AND DISCLOSURE

Where transparency obligations under the EU AI Act apply, disclosure should be presented in a clear, visible and appropriate manner, taking into account the medium in which the content is published.

As a general principle:

- the disclosure should be clearly associated with the relevant AI-generated or AI-manipulated content;
- it should be easy for the audience to recognise;
- it should remain legible and sufficiently prominent;
- it should not be hidden in legal notices or other information that is unlikely to be seen by the audience.

Illustrative Examples

Depending on the publication medium, transparency may be implemented in different ways.

MEDIUM	SUGGESTED IMPLEMENTATION
TV & Cinema	A clearly visible AI label associated with the commercial.
Online Video	A clearly visible AI label integrated into the video or displayed as an overlay.
Social Media	An AI label should preferably be integrated into the image or video. A caption alone may not always be sufficient.
Websites	A clearly visible AI label positioned next to or integrated into the relevant content.
Print	An AI label clearly associated with the relevant visual.
Digital Out-of-Home (DOOH)	A clearly visible AI label integrated into or clearly associated with the displayed content where technically feasible.
Outdoor	An AI label clearly associated with the relevant visual where technically feasible.

The examples above are intended as practical guidance only and may evolve as industry practice, regulatory guidance and technology continue to evolve.

EU AI Disclosure Icons

The European Commission has introduced a set of voluntary EU AI Disclosure Icons, including:

- AI
- Fully AI-Generated
- Partially AI-Modified



Where appropriate, these icons may contribute to a consistent and recognisable presentation of AI transparency across different media.

BCP encourages Advertisers, Communication Agencies and Production Companies to monitor future guidance issued by the European Commission regarding the practical implementation of AI transparency.

Examples of AI Transparency Labels

Examples include:

- AI-generated image
- AI-generated voice
- AI-generated content
- AI-generated commercial
- Contains AI-generated audiovisual content
- Contains AI-generated elements

The chosen disclosure should accurately reflect the nature and extent of the AI use.

14.6. FUTURE OUTLOOK

Artificial Intelligence will continue to play an increasingly important role in the production of commercials and branded content.

BCP believes that the future of commercial production lies in combining technological innovation with human creativity, professional expertise and responsible production practices. AI should enhance - not replace - the creative collaboration between Advertisers, Communication Agencies and Production Companies.

As AI technology, industry practices and legislation continue to evolve, BCP will continue to monitor developments, support the industry through practical guidance and update these Production Guidelines where appropriate.

BCP believes that the greatest value of AI lies not in replacing creative talent, but in empowering the people who bring ideas to life. The future of commercial production will continue to be shaped by creativity, craftsmanship and collaboration, supported by the responsible use of Artificial Intelligence.